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Dkt. 68262-A/JPW/PJP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Peter Brink et al.  
Serial No. : 10/757,827  
Filed : January 15, 2004  
For : **MESENCHYMAL STEM CELLS AS A VEHICLE FOR ION  
CHANNEL TRANSFER IN SYNCYTIAL STRUCTURES**

1185 Avenue of the Americas  
New York, New York 10036  
October 21, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**COMMUNICATION IN RESPONSE TO SEPTEMBER 21, 2005 OFFICE ACTION**

This Communication is submitted in response to the Office Action issued by the U.S. Patent and Trademark Office on September 21, 2005 in connection with the above-identified application. A response to the Office Action is due on September 21, 2005. Accordingly, this response is being timely filed.

In the Office Action, the Examiner has made a restriction requirement requiring restriction to one of the following six (6) inventions:

I. Claims 1-3, 22, 39-48, and 63-64, drawn to composition of delivery of a gene to a syncytial structure comprising genetically modified stem cells with gene encoding MiRP1, classified in class 424, subclass 93.1.